

11/19/01
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PATENT
DON01 P-939

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/988279
US PTO
11/19/01

Applicants : Ralph A. Spooner and Jerry L. Beck

For : MIRROR MOUNT WITH ACCESSORY HOUSING

United States Patent and Trademark Office

Dear Sir:

REQUEST FOR FILING DIVISIONAL APPLICATION
UNDER 37 CFR 1.53(b)

This is a request for filing a divisional application under 37 CFR 1.53 of co-pending application Serial No. 09/533,127, filed on March 23, 2000, by Ralph A. Spooner and Jerry L. Beck, entitled TOGGLE ASSEMBLY FOR REARVIEW MIRROR, which will issue on November 20, 2001 as U.S. Patent No. 6,318,870.

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a copy of what is shown in my records to be the above-identified prior application, including the Declaration as originally filed (37 CFR 1.53). No amendments referred to in any Declaration filed to complete the prior application introduced new matter in that application.

The copy of the papers of the prior application as filed which is attached includes 14 pages of specification, 7 pages of claims (54 claims), 1 page of Abstract, 7 sheets of drawings, and signed Declaration and Power of Attorney.

2. Amendments

A Preliminary Amendment is enclosed. Claims 1-47 have been canceled and new claims 55-57 have been added. Examination on the basis of new claims 48-57 is requested.

3. Patent Application Bibliographic Data Form

A copy of the Patent Application Bibliographic Data Form is enclosed.

4. Filing Fee and Calculation

Basic Fee	\$740.00
Additional Fees	
Each independent claim in excess of three, (-0-) times \$84.00	\$.00
Number of claims in excess of twenty, (-0-) times \$18.00	\$.00
Filing multiple dependent claims per application \$280.00	\$.00
Total Filing Fee	<u>\$740.00</u>

A check in the amount of \$740.00 for the filing fee is enclosed herewith.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0190.

The Commissioner is hereby authorized to charge the following fees during the pendency of this application, or credit any overpayment, to Deposit Account No. 22-0190.

A duplicate copy of this sheet is enclosed.

- a) Any filing fees under 37 CFR 1.16 for presentation of extra claims for which full payment has not been tendered.
- b) Any patent application processing fees under 37 CFR 1.17 for which full payment has not been tendered.

5. Drawings

Seven (7) sheets of drawings are enclosed and are copies of those filed in the parent application. Formal drawings are enclosed with the attached Preliminary Amendment.

6. Disclosure Statement

Applicants respectfully request that information cited in the prior parent application, Serial No. 09/533,127, be considered in the present application. A disclosure statement is enclosed along with copies of forms PTO-1449 listing all of the information from the prior parent application.

7. Inventorship Statement

With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC 120, the inventors in this application are the same, namely, Ralph A. Spooner and Jerry L. Beck.

8. Assignment

The prior application is assigned to Donnelly Corporation, a corporation of the State of Michigan, located and doing business at 414 East Fortieth Street, Holland, Michigan 49423. That Assignment was recorded in the United States Patent and Trademark Office on March 23, 2000, at Reel 010687, Frame 0423.

11. Power of Attorney

The original Power of Attorney in the parent application Serial No. 09/533,127 is to Van Dyke, Gardner, Linn & Burkhart, LLP and the individual attorneys and agents at said address, consisting of Daniel Van Dyke, Reg. No. 25 046; Donald S. Gardner, Reg. No. 25 975; Terence J. Linn, Reg. No. 30 283; Frederick S. Burkhart, Reg. No. 29 288; Catherine S. Collins, Reg. No. 37 599; Matthew L. Goska, Reg. No. 42 594; Anthony A. Bisulca, Reg. No. 40 913; and Timothy A. Flory, Reg. No. 42 540.

TO GETTELL GARDNER BURKHART

Please address all future correspondence to:

Timothy A. Flory
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12. Verification

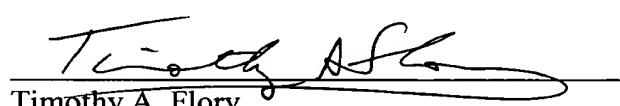
I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

RALPH A. SPOONER AND JERRY L. BECK

By: Van Dyke, Gardner, Linn & Burkhart, LLP

Date: November 17, 2001



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TAF/slg
Enclosures